

MINUTES OF THE CHESHIRE TOWN COUNCIL MEETING HELD FOLLOWING THE 7:00 P.M. PUBLIC HEARINGS ON TUESDAY, JUNE 14, 2016, IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present

Chairman Robert J. Oris Jr. ; Vice Chairman Paul A. Bowman; Michael Ecke, Patti Flynn-Harris, Liz Linehan, Sylvia Nichols, Thomas Ruocco, Timothy Slocum and Peter Talbot.

Staff: Michael A. Milone, Town Manager; Alfred Smith, Town Attorney; James Jaskot, Finance Director; Parks and Rec Director Robert Ceccolini; Police Chief Neil Dryfe; Deputy Police Chief Brian Pichnarcik; Personnel Director Louis Zullo; PW Director George Noewatne
Dept. of Education - Vincent Masciana, Chief Operating Officer.
Guest: Wallingford CT Police Chief William Wright.

1. ROLL CALL

The clerk called the roll and a quorum was determined to be present.

2. PLEDGE OF ALLEGIANCE

The group Pledged Allegiance to the Flag.

3. ITEMS FOR EXECUTIVE SESSION

- A. Claims and litigation**
- B. Land acquisition**
- C. Personnel**

MOTION by Mr. Slocum; seconded by Mr. Talbot.

MOVED that the Town Council enter Executive Session at 7:20 p.m. to include Town Manager Milone, Police Chief Dryfe, Deputy Police Chief Pichnarcik, Personnel Director Zullo to discuss personnel issues and land acquisition .

VOTE The motion passed unanimously by those present.

MOTION by Mr. Talbot; seconded by Ms. Flynn-Harris

MOVED that the Town Council exit Executive Session at 8:00 p.m.

VOTE The motion passed unanimously by those present.

4. PUBLIC COMMUNICATIONS

A. Proclamation for Flag Day.

Chairman Oris read the proclamation for Flag Day June 14, 2016.

B. Public Comments

Lori Wilcox, 415 Mountain Road, submitted documents and written statements to the Town Council regarding the Clearview Farms Preserve LLC subdivision and the local brown field dump site at 947 Cornwall Avenue (Bens property). Ms. Wilcox read her prepared statement into the record. In her statement, Ms. Wilcox said remediation has not been done at the site; the extent of dumping is unknown; dumping goes back decades; there is a DEEP file on the site and materials have been dumped over the years; and some debris has been removed. The Town of Cheshire and Chesprocott are aware of this situation; in-house professionals are looking into the Clearview subdivision site (who are they); Town staff is working with DEEP; and Ms. Wilcox asked for the Council's position and concerns on the illegal dumping matter.

The prepared statement and documents submitted by Ms. Wilcox are an attachment to these minutes.

In response to Ms. Wilcox's statement to the Council, Chairman Oris expressed concerns of the Council, cited awareness of the situation, the involvement of the Town Attorney with DEEP and the property owner's representative. The matter is being addressed, but the situation is not in the purview of the Council. Mr. Oris assured everyone that the issue will be taken care of as soon as possible. He noted the Council has no oversight of the Planning and Zoning Commission, and cannot comment or address on an application. It is hoped the owners clean up the site, and Mr. Oris stated illegal dumping is not acceptable in the community.

Attorney Smith informed the Council and the public that, as a matter of law, the investigation and remediation rests with the State DEEP, and municipalities have no authority or experience to deal with complaints of this nature. Attorney Smith has had numerous conversations with DEEP, and said it is shameful that this is going on since 1968. There have been calls to DEEP staff, and the intention is to pursue the owner and force him to address the issue. A remediation plan has been submitted for DEEP approval; the owner will be required to put up a financial assurance to pay for the remediation costs; and the matter is in the hands of the Bens estate that is going through probate. The DEEP is sending communication to the owners, with copies to the Town Attorney. If the owner does not agree to DEEP demands, they will issue and order an administrative lawsuit requiring them to act. Attorney Smith has spoken with the attorney for the Bens estate, and he is committed to undertake the DEEP requests, have a remediation plan in place, along with financial assurances.

The Council and public were assured by Attorney Smith that this matter will continue to be monitored to insure the remediation work is done. He asked neighbors to also continue to monitor the site and situation. Attorney Smith will keep Town Manager Milone and Council Chairman Oris informed on this matter.

With regard to the two test wells on lot #21, Attorney Smith said there was a report done by Alta Environment, a firm retained by the Bens estate. Soil and ground water studies were done in April 2016, and this is a public document.

Documents have been filed in Town Hall, and Ms. Flynn-Harris said it is important everyone be aware of the depth and extent of this situation.

Peter Wilcox, 415 Mountain Road, stated the toxic dump site is behind his house. He has photographs from 1934 and the present time showing the site as a pond in 1934 and it is now filled with debris. His neighbors have water in their basement which should be tested as it could be toxic leaking water. Ten homes in the area (on Roaring Brook, Cahill, Foster and Maribou roads) have wells and these should also be tested.

Ray Squier expressed thanks to the current and past Town Councils for their courtesy in listening to people. He said Cheshire is the best run town in the State. He commended the high school students for their recent event honoring veterans, which he attended. He commented on Connecticut having 2 Senators and 5 Representatives representing 3 million Connecticut residents, and the need to engage in term limits. Mr. Squier expressed appreciation for the U.S. Flags flying on the poles in Town, and requested they remain flying through the 4th of July.

5. APPROVAL OF MINUTES - April 12, 2016 and May 10, 2016; Public Hearing of April 12, 2106; Special Meetings of April 7, 11, and 28, 2016 and May 24, 2106; clarification to amendment to November 10, 2015 minutes.

MOTION by Mr. Talbot; seconded by Mr. Slocum.

MOVED that the Town Council accepts the minutes of the regular meeting of April 12, 2016, the Special Meetings of April 7, 11 and 28, 2016, and May 24, 2016, and the Public Hearing of April 12, 2016, with the following corrections:

April 12, 2016: page headings should read "April 12, 2016"

April 28, 2016: Item 5, Resolution 042816-3, the vote should read "The motion Passed 7-1, with Mr. Ruocco opposed."

April 28, 2016: Item 11, Resolution #042816-11, vote should read "The motion Passed 7-0-1, with Mr. Bowman abstaining".

FURTHER MOVED, that the Town Council amends the previously accepted minutes of November 10, 2016, Consent Calendar Item 4G should read: "Acceptance and appropriation of a \$15 anonymous donation to the Human Services Gift Account for general purposes."

FURTHER MOVED that the Town Council accepts the amended minutes, as attached, in their entirety, for the May 10, 2016 regular meeting, and directs that these amended minutes be filed in their entirety with a notation that the amended minutes supersede the original minutes for this meeting filed on May 17, 2016.

FURTHER MOVED that the corrections to the May 24, 2016 minutes submitted by Councilor Ruocco be accepted.

Page 10.

Add: "With regard to rebates paid back to the towns, Mr. Ruocco asked how this is done after 2 or 3 years."

Attorney Suerth explained that the "Experience Refund" would be lost once you leave the group.

Add: Mr. Ruocco asked...did this go out to bid?

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Last sentence...Mr. Ruocco was in favor of the agreement...add: "only to the extent it is going to referendum. He may not vote in favor at referendum, but agrees that a public vote is the best way to decide."

VOTE The motion passed unanimously by those present.

6. **CONSENT CALENDAR**

MOTION by Mr. Slocum; seconded by Ms. Nichols

BE IT RESOLVED, that the Town Council approves Resolution #061416-1

RESOLUTION #061416-1
CONSENT CALENDAR FOR JUNE 14, 2016

BE IT RESOLVED, that the Town Council approves the Consent Calendar for June 14, 2016 as follows:

- A. Acceptance of a donation of a Kimball spinet piano from Lillian and Linda Buckley to the Senior Center.
- B. Acceptance and appropriation of an \$85 donation from the Cheshire Community Chorus to the Cheshire Fuel Bank.
- C. Acceptance and appropriation of an aggregate of \$280 in donations from Democratic Town Committee members, ArtsPlace and the Library in memory Of John Harris to the Library Gift Account for the purchase of Library materials, furniture and computers.
- D. Acceptance and appropriation of a \$50 donation from David and Helen Lapman, Sr. in memory of Adoria Corcoran to the Library Gift Account for the purchase of Library materials, furniture and computers.
- E. Acceptance and appropriation of a \$200 donation from Neighborhood Housing Services of Waterbury Inc. in memory of Adoria Corcoran to the Library Gift Account for the purchase of Library materials, furniture and computers.
- F. Acceptance and appropriation of a \$20 donation from Lorrie Minervini in memory of Adoria Corcoran to the Library Gift Account for the purchase of Library materials, furniture and computers.

- G. Acceptance and appropriation of a \$100 donation from Kimberly and Patrick Hayden in memory of Adoria Corcoran to the Library Gift Account for the Purchase of Library materials, furniture and computers.
- H. Acceptance and appropriation of a \$100 donation from Melissa Fife in memory Of Adoria Corcoran to the Library Gift Account for the purchase of Library materials, furniture and computers.
- I. Acceptance and appropriation of a \$10 donation from Della A. B. Greenbergin In memory of Ross Lilly to the Library Gift Account for the purchase of Library materials, furniture and computers.
- J. Acceptance and appropriation of a \$30 donation from Patrice Noah in memory Of Jodie Monillos to the Library Gift Account for the purchase of Library Materials, furniture and computers.
- K. Acceptance and appropriation of a \$50 donation from Joan Pilarczyk in memory Of Daisy Bissell to the Library Gift Account for the purchase of Library materials, furniture and computers.
- L. Acceptance and appropriation of a \$200 donation from Cheshire Lions Club To the Library Gift Account for the purchase of Library materials, furniture and Computers.
- M. Acceptance and appropriation of \$2,296.49 from the Library Lost and Paid Account for Library program materials.
- N. Acceptance and appropriation of an anonymous \$50 donation to the Human Services Gift Account to help residents in need.
- O. Acceptance and appropriation of a \$200 donation from the Lions Club to the Police Gift Account for general purposes.

VOTE The motion passed unanimously by those present.

7. ITEMS REMOVED FROM CONSENT CALENDAR

8. OLD BUSINESS

9. NEW BUSINESS

A. Approval of 2016 Neighborhood Assistance Act Program submissions.

MOTION by Mr. Bowman; seconded by Mr. Slocum.

BE IT RESOLVED, that the Town Council approves Resolution #061416-2

RESOLUTION #061416-2

BE IT RESOLVED, that the Town Council approves the following submissions to the 2016 Neighborhood Assistance Act Program:

- Cheshire Lights of Hope Inc., Neighbors Helping Neighbors
- Raccoon Crossing Rehabilitation Center, Inc., Wildlife Nursery Building and Staff Expansion
- Cheshire Food Drive Inc., Cheshire Food Voucher Program

VOTE The motion passed unanimously by those present.

B. Approval of a transfer and long term lease of 866 Boulder Road to the Cheshire Housing Authority.

MOTION by Ms. Nichols; seconded by Mr. Slocum.

BE IT RESOLVED, that the Town Council approves Resolution #061416-3

RESOLUTION #061416-3

BE IT RESOLVED, that the Town Council hereby authorizes the execution of a fifty year Ground Lease Agreement by and between the Town of Cheshire and the Cheshire Housing Authority for property at 866 Boulder Road, and

BE IT FURTHER RESOLVED, that the Town Council hereby authorizes the execution of a Bill of Sale by and between the Town of Cheshire and the Cheshire Housing Authority for certain improvements on property at 866 Boulder Road, and

BE IT FURTHER RESOLVED, that the Town Manager is authorized and directed to execute on behalf of the Town said Agreement and Bill of Sale in the form and upon the terms and conditions as presented at this meeting.

Discussion

This agenda item was the subject of a public hearing. Ms. Nichols said the Town has joined with CHA on other properties. CHA will lease the house; it will become an affordable housing unit; and CHA will maintain and monitor the house.

Chairman Oris supports the CHA leasing this house, and CHA will receive grant funds and offer the house as an affordable housing unit.

VOTE The motion passed 8-1; Mr. Ecke opposed.

C. Approval of the Special Veterans Tax Exemption ordinance amendment.

MOTION by Ms. Flynn-Harris; seconded by Mr. Talbot

BE IT RESOLVED, that the Town Council approves Resolution #061416-4

RESOLUTION #061416-4

BE IT RESOLVED, that the Town Council approves a proposed ordinance amendment granting a tax exemption to certain veterans, Section 17-17 (new) as follows:

Sec. 17-17. Tax Exemption for Veterans.

Effective for the assessment year commencing October 1, 2015, and each assessment year thereafter, any person entitled to an exemption from property tax in accordance with Subdivision (2) of C.G.S. Sec. 12-81, who has a disability of one hundred percent (100%) as determined by the United States Department of Veteran Affairs, and meets the applicable income requirements, shall be entitled to an additional exemption from such tax as set forth in C.G.S. Section 12-81 and Public Act 13-224.

Discussion

Mr. Milone stated that the Town already has a tax exemption ordinance, and the veterans exemption is in addition to the existing ordinance. It is specifically for veterans with a 100% disability as determined by the Dept. of Veteran Affairs.

VOTE The motion passed unanimously by those present.

D. Approval of Library Fees Ordinance Amendment.

MOTION by Ms. Flynn-Harris; seconded by Ms. Linehan.

BE IT RESOLVED, that the Town Council approves Resolution #061416-5

RESOLUTION #061416-5

BE IT RESOLVED, that the Town Council approves a proposed ordinance amendment to the Library Fees Ordinance, Section 2-9 as follows:

Sec. 2-9 Library Fees

(a) *The following schedule of fees shall pertain to overdue fines charged By the Cheshire Public Library.*

- (1) *Adult Materials: \$0.15 per day per overdue item to a maximum of \$10.00 per overdue item whichever is lowest.*
- (2) *Children's Materials: \$0.05 per day overdue item to a maximum of \$10.00 per overdue item whichever is lowest.*
- (3) *Museum Passes: \$10.00 per day per overdue item, up to the cost of the*

Item, whichever is lowest.

- (b) *Senior Patrons: Patrons aged 65 or older shall not be charged fines on overdue materials, except for museum passes. However, any lost, damaged or destroyed items must be replaced with a brand-new, identical copy, or the full replacement cost paid to the Library.*
- (c) *The Library Director or his/her designee may from time to time waive individual Library fines on a case by case basis, due to extenuating circumstances.*
- (d) *The Library Director may establish an "amnesty week" once each year during which accrued fees for overdue items are waived on items returned to the Library during that week.*

This amendment becomes effective July 1, 2016.

Discussion

Ms. Flynn-Harris pointed out that part of the ordinance change was to create and solidify specific jobs and duties which belong to the Library Director, i.e. "amnesty week". Prior to this change it would come before the Council.

According to Mr. Slocum the Library generated about \$40,000 in revenue from fines.

In that regard, Ms. Flynn-Harris said the Director's proposal was for the Library to keep this money, but Council determined it would go into the general fund.

VOTE The motion passed unanimously by those present.

E. Set public hearing for \$3 million capital appropriation for the purchase Of Chapman Property.

MOTION by Mr. Oris; seconded by Mr. Slocum.

BE IT RESOLVED, that the Town Council approves Resolution #061416-6

RESOLUTION #061416-6

BE IT RESOLVED, That the Town Council shall hold a public hearing to consider a \$3 million appropriation for the purchase of the Chapman property, and

BE IT FURTHER RESOLVED, that the Town Manager shall cause a notice of said public hearing to be posted and published according to law, and

BE IT FURTHER RESOLVED, that the date, time, and place or any postponements thereof shall be determined by the Town Manager with the approval of the Chairman of the Council.

VOTE The motion passed unanimously by those present.

Mr. Ruocco asked that the Council be informed of the date of this public hearing as soon as it is set.

F. Set public hearing for DOT traffic easement transfer.

MOTION by Mr. Oris; seconded by Mr. Talbot.

BE IT RESOLVED, that the Town Council approves Resolution #061416-7

RESOLUTION #061416-7

BE IT RESOLVED, That the Town Council shall hold a public hearing to consider the transfer of a traffic easement at Route 10 and Cheshire High School to the State of Connecticut Department of Transportation, and

BE IT FURTHER RESOLVED, that the Town Manager shall cause a notice of said public hearing to be posted and published according to law, and

BE IT FURTHER RESOLVED, that the date, time, and place or any postponements thereof shall be determined by the Town Manager with the approval of the Chairman of the Council.

VOTE The motion passed unanimously by those present.

G. Acceptance and appropriation of a \$175,000 donation from Elim Park To the Police Gift Account.

MOTION by Mr. Slocum; seconded by Ms.Nichols.

BE IT RESOLVED, that the Town Council approves Resolution #061416-8

RESOLUTION #061416-8

BE IT RESOLVED, That the Town Council accepts and appropriates a \$175,000 donation from Elim Park to the Police Gift Account for equipment, supplies and services as presented and attached.

Discussion

This was discussed at the Budget Committee and Mr. Slocum said the packet information contains the listing of items which Chief Dryfe will expend for the Police Department.

\$118,000 - Equipment; ATV - \$15,000; Tasers - \$16,000; CAD/RMS Upgrade \$12,000; Supplies and Services, \$57,000; Consultant for the Policy and Procedure Manual rewrite is ongoing - \$10,000. Community Programs and RAD \$15,000.

Ms. Linehan asked about the RAD programs being open to CHS senior girls, the availability for the public to participate in a RAD program, and when the next program begins.

The Council was told by Chief Dryfe that the RAD program is always open to the public; it ran 6 times this year; and is an ongoing program. The high school program is August 25th and 26th, and other classes are being scheduled for the RAD program.

With the Tasers, Ms. Flynn-Harris talked about increased savings by not replacing all the Tasers, and noted a Taser was used only one time the past year. She asked about cost savings with Tasers going to only officers on patrol.

Chief Dryfe prefers every officer to have a Taser as they are as much a part of their uniform as a gun. At some point CPD could run out of Tasers without every officer having one, and individual officers taking good care of their Taser. Batteries need to be recharged; Taser is tested before a shift start; a Taser is a piece of technology which lasts longer with one individual rather than rotating it back and forth.

The Chief informed the Council the plan is to do 1/3 replacement of Tasers every 3 years. The last Tasers were purchased through the gift account 10 years ago and are no longer covered under warranty.

Chairman Oris asked about the new vehicle, clarification on its use, and if it is a SWAT vehicle. It looks like the vehicle will be used for a variety of services including transportation of the SWAT team.

Chief Dryfe reviewed the information on the proposed vehicle. CPD intends to purchase a Ford Transit van to be outfitted as a multi-purpose response vehicle, to serve as a crime and accident scene response vehicle, with secure cabinets to store crime and accident scene processing equipment. The vehicle will have a work area for personnel, laptop and printer, cargo door, shelving, storage, house sensitive equipment, provide security and protection from the elements, and will be a high top vehicle. The new Transit vehicle will replace the 1991 Ford truck used by the SRT team. The Transit is a flexible vehicle; it will be used at town line locations in collaboration with other departments for DUI road blocks and other programs; it will be a transport vehicle for the SRT, moving employees to help at events, accidents and crime scenes. The vehicle will have all CPD markings, and be a visible presence in the community.

This is an expensive truck, and Mr. Ecke commented on the recent Florida events, and the need for Cheshire to be prepared for whatever could happen here. The Chief needs this truck, and he supports the purchase.

VOTE The motion passed unanimously by those present.

H. Approval of reauthorization of unobligated CRN balances for acquisition Of Parks ATV.

9H-1

MOTION by Mr. Slocum; seconded by Ms. Flynn-Harris.

BE IT RESOLVED, that the Town Council approves Resolution #061416-9

RESOLUTION #061416-9

RESOLUTION AMENDING A RESOLUTION PROVIDING FOR AN APPROPRIATION IN THE AMOUNT OF \$70,000 FROM THE CAPITAL AND NON-RECURRING EXPENDITURES FUND FOR PROPERTY REVALUATION.

WHEREAS, the Town previously allocated an appropriation in the amount of \$70,000 from its Reserve Fund for Capital and Non-Recurring Expenditures (CNR Fund) for property revaluation, approved by the Town Council on August 19, 2014 (the "Property Revaluation Project");

WHEREAS, the Town has \$3,000 of unexpended moneys remaining from the Property Revaluation Project, which project is complete; and

WHEREAS, the Town desires to appropriate such unexpended moneys from its CNR fund to fund, in part, the acquisition of an All-Terrain Vehicle for the Parks Department (The "Acquisition of an ATV Project") from the Vehicle and Equipment Replacement 2015-2016 Fund (The "Vehicle and Equipment Replacement 2015-2016 Fund") and

RESOLVED:

Section 1. The aggregate allocation for the Property Revaluation Project is hereby reduced by \$3,000 to \$67,000.

Section 2. The unexpended moneys from the Property Revaluation Project returned to the CNR Fund in the amount of \$3,675 is hereby appropriated and allocated for the Acquisition of an ATV Project from the Vehicle and Equipment Replacement 2015-16 Fund. The Town Council may determine the scope and particulars of the Acquisition of an ATV Project.

Discussion

Mr. Slocum clarified that the Parks and Rec Department has a need for this vehicle. Payment for the ATV will be accomplished using three revenue sources with Council approval.

The total of three resolutions gets to \$11,000 for the purchase of the new ATV for the Parks Department.

Director Ceccolini advised the ATV is the same size as the CPD ATV, but has a different back for tools and equipment.

It was clarified by Ms. Nichols that this ATV is needed for the department crews to get into the 1,300 acres of open space owned by the Town, the Linear Trail, and the Town parks. The Parks Department maintains and monitors the open space, does trail repairs and large projects with the Public Works crews, and work in the parks. Two people can ride in the ATV, and in an emergency the vehicle could assist in getting someone safely out of an open space area.

The Council was told by Mr. Milone that Town departments are working as a group...Fire, Police, Public Works, Parks and Rec, Town Manager...with a rational approach to management of the Town properties. There is identification of 18 items of work to be done, centralized reporting of information, and crews work together. During the summer, the Parks crews concentrate on the Town parks which get the most use. The goal is to insure a more frequent and visible presence on the trails and open space. There is an issue with camp fires at Roaring Brook and this must be checked regularly.

Director Ceccolini commented on the expansion of the Linear Trail from 3 to 8 miles, with responsibility falling to the Parks Department. The ATV will be an important asset, will be used for large events such as Fall Festival, and moving things around in the parks.

In response to a question from Mr. Bowman about the ATV being registered for the road, Mr. Ceccolini said it is not road registered, and would be transported on a trailer.

Chairman Oris stated the Parks and Rec Department is conservative with its requests, and he supports the purchase of the ATV. This vehicle will enable crews to maintain open space, Linear Trail, and be a benefit to the community for workload and safety. It is money well spent.

VOTE The motion passed 8-1; Mr. Ruocco opposed.

9H-2

MOTION by Mr. Slocum; seconded by Ms. Nichols.

BE IT RESOLVED, that the Town Council approves Resolution #061416-10

RESOLUTION #061416-10

RESOLUTION AMENDING A RESOLUTION PROVIDING FOR AN APPROPRIATION IN THE AMOUNT OF \$230,000 FROM THE CAPITAL AND NON-RECURRING EXPENDITURES FUND FOR VEHICLE AND EQUIPMENT REPLACEMENT FUND.

WHEREAS, the Town previously allocated an appropriation in the amount of \$230,000 from its Reserve Fund for Capital and Non-Recurring Expenditures (CNR Fund) for vehicle and equipment replacement, approved by the Town Council on August 19, 2014 (the "Vehicle and Equipment Replacement 2014-15 Project");

WHEREAS, the Town has \$3,675 of unexpended moneys remaining from the Vehicle and Equipment Replacement 2014-15 Project, which project is complete; and

WHEREAS, the Town desires to appropriate such unexpended moneys from its CNR fund to fund, in part, the acquisition of an All-Terrain Vehicle for the Parks Department (The "Acquisition of an ATV Project") from the Vehicle and Equipment Replacement 2015-2016 Fund (The "Vehicle and Equipment Replacement 2015-2016 Fund") and

Section 1. The aggregate allocation for the Property Revaluation Project is hereby reduced by \$3,675 to \$226,325.

Section 2. The unexpended moneys from the Property Revaluation Project returned to the CNR Fund in the amount of \$3,675 is hereby appropriated and allocated for the Acquisition of an ATV Project from the Vehicle and Equipment Replacement 2015-16 Fund. The Town Council may determine the scope and particulars of the Acquisition of an ATV Project.

VOTE The motion passed 8-1; Mr. Ruocco opposed.

9H-3

MOTION by Mr. Slocum; seconded by Ms. Flynn-Harris.

BE IT RESOLVED, that the Town Council approves Resolution #061416-11

RESOLUTION #061416-11

RESOLUTION AMENDING A RESOLUTION PROVIDING FOR AN APPROPRIATION IN THE AMOUNT OF \$245,000 FROM THE CAPITAL AND NON-RECURRING EXPENDITURES FUND FOR VEHICLE AND EQUIPMENT REPLACEMENT FUND.

WHEREAS, the Town previously allocated an appropriation in the amount of \$245,000 from its Reserve Fund for Capital and Non-Recurring Expenditures (CNR Fund) for vehicle and equipment replacement, approved by the Town Council on August 25, 2015, (the "Vehicle and Equipment Replacement 2015-16 Project");

WHEREAS, the Town has \$3,675 of unexpended moneys remaining from the Vehicle and Equipment Replacement 2014-15 Project, which project is complete; and

WHEREAS, the Town desires to amend and increase such appropriation for its CNR Fund for the acquisition of an All-Terrain Vehicle for the Parks Department (The "Acquisition of an ATV Project"); and

RESOLVED:

Section 1. The aggregate amount of \$3,000 from the CNR Fund for the Property Revaluation 2014-15 Project and \$3,675 from the CNR Fund for the Vehicle and Equipment Replacement 2014-15 Project for a total of \$6,675 shall be utilized for the Vehicle and Equipment Replacement 2015-16 Project. The Vehicle and Equipment Replacement 2015-16 Fund is hereby increased by \$6,675 from \$245,000 to \$251,675.

Section 2. The Town Council may determine the scope and particulars of the Acquisition of an ATV Project.

VOTE The motion passed 8-1; Mr. Ruocco opposed.

I. Appropriation of \$30,000 from the Peck-Jones Fund to replace band uniforms for the Cheshire High School Music Department.

MOTION by Ms. Nichols; seconded by Mr. Slocum.

BE IT RESOLVED, that the Town Council approves Resolution #061416-12

RESOLUTION #061416-12

BE IT RESOLVED, that the Town Council appropriates \$30,000 from income from the Peck-Jones Fund for the purchase of replacement band uniforms for the Cheshire High School Music Department.

Discussion

Ms. Nichols stated the Peck Jones Fund provides additional income for the educational system, upgrade and improvements of the schools. The BOE is requesting to supplement their funds for the purchase of band uniforms. She noted the Budget Committee questioned this use of the funds.

Mr. Milone stated his understanding that the funds can be used broadly for educational expenses.

BOE CEO, Mr. Masciana, addressed the Council about the Peck Jones fund, and cited the 2012 Probate Court ruling on use of the funds. He submitted the information to the Council for review, noting the funds can be expended for the students of the Town of Cheshire.

There are concerns about expending funds that should come out of the operating budget and Ms. Nichols has concerns with setting a precedent using this account.

On May 5th, the BOE passed a motion approving use of the Peck Jones funds for the band uniforms, and Mr. Masciana said the request is before the Council in accordance with the 4% ruling. The BOE would pay one-half the \$60,000 uniform cost; \$28,800 from the Peck Jones funds, and \$32,000 from its operating budget in the replacement of equipment line item. Mr. Masciana reported that prior funds have been used for chrome books, world language lab, professional development for 4th and 5th grade science, and a variety of other purposes. He noted that the band uniform project benefits many students.

According to Mr. Ruocco funds from the account should be used for more equitable services, not one particular activity. The band is an extra curricular activity and not enough of an educational purpose. All funding should come out of the BOE budget.

Citing agreement with Mr. Ruocco, it was stated by Ms. Linehan that taking 4% of the fund value for only a few students makes her nervous. She said we are coming into a time frame when caution is needed on spending money, and band uniforms is a poor use of these funds. The fund should stay whole for future use and benefit to all students.

Mr. Ecke wants the band to have new uniforms after 20 years, and said the BOE needs to find a way to insure all teams get new uniforms and have a policy on this issue going forward. He would support the funds being used for a math lab program, but using the money for band uniforms is not the right way to get them.

Regarding the equipment line item in the BOE budget, Mr. Talbot asked how much is in this account, and where it normally is used.

The budget line item is \$125,000 again this year and Mr. Masciana said the money is used for furniture, smart boards, instruments, equipment replacement. He believes the band uniforms are an appropriate use of the Peck Jones funds. The Council was informed by Mr. Masciana that there are 150+ students in the CHS RAM Band; the marching band is a required class for students in the music careers program...this is not the same for athletic teams.

Mr. Masciana distributed a copy of the Probate Court ruling, and cited #18 to the Council.

The limited use of the Peck Jones funds at 4% each fiscal year was cited by Mr. Slocum. He said the band has a demonstrated need for uniforms; there could be a better use of the funding; he supports purchase of the band uniforms...it is a means to an end which he supports.

Ms. Nichols agrees the BOE should fund this purchase, and she questioned why the uniforms have not been partially funded over the years. The BOE budget is \$70 million, and they can find \$30,000 for band uniforms.

In reply, Mr. Masciana said the BOE budget was cut by \$1.1 million. He did look at how to fund \$60,000 for band uniforms this fiscal year...and he recommended one-half BOE funding and one-half Peck Jones Funding. He explained that band uniforms cannot be replaced piece meal because they must all be the same, and these uniforms last a long time.

The band deserves new uniforms and Mr. Oris said they should have them, even though this is a BOE operating expense. With \$70 million the BOE has enough money to pay for uniforms and other extra-curricular activity items. Mr. Oris stated the BOE must do a better job and not rely on private donors or non-profit groups to fund uniforms and activities. On the legal side, Mr. Oris said there is nothing which suggests the Council can say "no" to the request as the language is very broad. He will support the request due to what was decided for the Peck Jones money, and suggested the BOE use these funds for items that are not operating expenses.

VOTE The motion passed 6 in favor; 3 opposed (Ecke, Linehan, Ruocco).

J. Approval of assignment of tax liens.

MOTION by Mr. Slocum; seconded by Ms. Nichols.

BE IT RESOLVED, that the Town Council approves Resolution #061416-13

RESOLUTION #061416-13

BE IT RESOLVED, that the Town Council, pursuant to Sections 12-195h, 7-254 and 7-258 of the Connecticut General Statutes, authorizes the Tax Collector to assign for consideration such tax and sewer liens as deemed appropriate for assignment by the Tax Collector, and

BE IT FURTHER RESOLVED, the consideration for such assignments be negotiated between the Town, acting through its Tax Collector and the assignee(s), and

BE IT FURTHER RESOLVED, that the Town Council awards the assignments as presented to Caz Creek CT II LLC (Purchaser) at 111.3627% on the dollar.

Discussion

This is a successful program and Mr. Jaskot gave a brief overview of the assignments.

The total liens were \$211,000 and are now down to \$105,000 as taxpayers have paid off their delinquent taxes. There were three bidders. The low bidder would not agree to purchase subsequent liens; the high bidder (114%) has never worked in Connecticut, is

unfamiliar with State statutes, and needed training. The successful bidder was Caz Creek CT II LLC at 111.3627%, which was the firm used in the last two years.

It was pointed out by Mr. Jaskot that the company must comply with Connecticut State statutes. Caz Creek has done a good job in the past; is sensitive to the residents and treats them well; has never foreclosed on a property; and keeps property owners accurately informed of the process. There is a concern about service to taxpayers and the Town has a good working relationship with Caz Creek.

Over the last 12 years the average award has been 105% to 106%; last two years it was 113%; and this year it is just over 111%. Cheshire has a 99.78% tax collection rate and the lien assignment brings in tax dollars and contributes to the high collection rate.

The committee was told by Mr. Jaskot that Caz Creek is presently in a litigation situation, a class action suit. Town Attorney Smith has checked into this, and his legal opinion is that the claim has no merit; it was predicated by a clerical error; and it does not affect Cheshire's tax liens.

References on Caz Creek have been good along with positive reports about their services.

The lien assignment program is an incentive for people to pay taxes, and people do pay the back taxes. Mr. Milone advised the Town will get about \$12,000 over the value of the principal.

VOTE The motion passed unanimously by those present.

K. Approval of transfer of uncollectible property taxes to the Suspense List.

MOTION by Mr. Slocum; seconded by Ms. Nichols.

BE IT RESOLVED, that the Town Council approves Resolution #061416-14

RESOLUTION #061416-14

BE IT RESOLVED, that the Town Council approves the transfer of uncollectible taxes, as presented and attached, to the Suspense Tax Book.

Discussion

Mr. Slocum said this program takes bad debt off the books.

Mr. Jaskot noted that the process is the same as in prior years; there are personal property taxes overdue for one year and motor vehicle taxes overdue for two years on the list. Total tax is \$59,622 ...which is a little higher than in the past with 276 people on the list. The Town continues to collect on the suspense accounts, and the collection

company goes after the accounts. The collection revenue goes into the miscellaneous revenue line item. This year the number of accounts decreased to 276. The program is required by State statute.

VOTE The motion passed unanimously by those present.

(Ms. Linehan left the meeting at 9:50 p.m.)

L. Acceptance of dedicated open space to the Town of Cheshire from Cedar Crest Subdivision per Zoning Regulations and the Planning and Zoning Commission approval of said subdivision.

MOTION by Ms. Flynn-Harris; seconded by Mr. Talbot.

BE IT RESOLVED, that the Town Council approves Resolution #061416-15

RESOLUTION #061416-15

BE IT RESOLVED, pursuant to the Zoning Regulations and the Planning And Zoning Commission approval of the Cedar Crest Subdivision, the Town Council accepts the dedicated open space for said subdivision.

Discussion

Ms. Flynn-Harris stated that this matter should be further discussed with Town Planner Voelker. In her years on the PZC, she cannot recall accepting open space before the project is completed. This project is completed but there may be some open space and PZC issues, since the subdivision just received a one year extension of the earth removal permit from the PZC. Ms. Flynn-Harris asked about this matter going to the Planning Committee for discussion.

The matter was never referred to the Planning Committee and Mr. Milone said that it could be so referred. He did not realize other issues needed to be vetted before it came to the Council. The matter can go to Planning Committee or be tabled pending further information.

There are many unanswered questions and Chairman Oris noted the property is adjacent to Town land.

The motion on the floor was withdrawn.

MOTION by Ms. Flynn-Harris; seconded by Mr. Talbot.

MOVED to table this agenda item.

VOTE The motion passed unanimously by those present.

Chairman Oris referred the matter to the Planning Committee.

M. Approval of Energy Performance Contracting Projects.

MOTION by Mr. Bowman; seconded by Ms. Flynn-Harris.

BE IT RESOLVED, that the Town Council approves Resolution #061416-16

RESOLUTION #061416-16

BE IT RESOLVED, that the Town Council approves the following Energy Performance Contracting Projects:

Cheshire High School

1. LIBRARY: Currently a stand-alone Trane system. Work would integrate it into The new BMS via DDC controls.
2. Heat Exchanger and Fan Coil Unit Adjacent to Auditorium: Currently stand-alone Pneumatics. Work would integrate the systems into the new BMS via DDC Controls.
3. Change out the existing obsolete Barber Coleman controls that no longer have factory support due to age.

Town Hall

1. Put the building equipment on a new DDC that will be integrated into the New BMS.
 - a. AHU-1, 2 and 3 will have new controls, controllers, wiring, actuators and control valves installed.
 - b. Add return air CO2 sensors to AHU-1, 2 3.
 - c. Install new DDC controls and sensors for 31 existing VAV boxes.
 - d. Provide air balancing report for 31 VAV boxes.

Cheshire Public Library

1. Replace local economizer controls with DDC controls and integrate the Economizer mode into the BMS.
2. Add a return air humidity sensor to each RTU/AHU with cooling capacity.
3. Replace legacy controls currently installed throughout the building.

Discussion

PW Director Noewatne stated the original performance contracting work was very successful, resulting in a decrease in utility costs, with savings paying for the capital improvements. It was \$10.2 million in projects. For the subject projects, the Council is being asked to fund \$327,159 out of the energy rebate money to enhance building management systems. He said dedicated controls must be integrated into the building management system so units work in consort with one another. There are no projects cited which are in the capital budget or operating budget for the Town or BOE.

Mr. Ruocco asked about energy projects from the energy fund during the CEP, and getting enough details to support the motion on the floor.

These projects follow on those already completed and Mr. Noewatne advised that Ameresco is done with the projects, and before leaving will do the work on the projects cited.

As a member of the Energy Performance Contracting Group, Ms. Flynn-Harris reported these items were discussed a year ago. These are important projects which the committee felt should be done. They were not part of the original projects, which had the best return on investment, and it was known the money would be there from the rebates. The rebate fund will still have \$500,000 balance and will not be depleted.

According to Mr. Noewatne there will be incentive money available for this work coming back from Eversource, and the projects will be about 5% to 10% less than cited costs. It is a good price for the work. He is unsure of the extra cost for the contractors.

With \$800,000 in the energy rebate account, Mr. Oris said this work could be bid out for a better pricing number.

In that case, Mr. Noewatne said a design would have to be done. Ameresco has the design now, and there are many things which go into this with additional costs and then a bid.

Mr. Oris questioned the market rate price for this work, passing on these projects now, bid to someone else and if this puts the projects at risk. He is uncertain that the pricing is the best and asked if the Town is comfortable that these are market rate numbers.

The Town is getting something at a reasonable price, and Mr. Noewatne said the projects could go forward next year. All systems are designed to be proprietary; we could run into issues; and there would be two different contractors.

As part of the performance contracting, Mr. Masciana advised that ECG Energy was the owner's representative, and reviewed all of Ameresco's work. The Town can go back to ECG and review their information on pricing, specs, what Ameresco can provide for the three projects and valid numbers.

Mr. Slocum said the prices are from one year ago and they are being held for a long time. Without going forward with them, we will be charging the PBC with capital projects for design, bid, and the process involved.

According to Mr. Noewatne, Ameresco is willing to hold its prices. He commented on many controls being involved with these projects, along with multiple units, spec work and design is needed.

The numbers were vetted in the past and Mr. Oris has concerns about going out to bid with someone new and messing with the design of the original company.

Mr. Ruocco suggested going back to Ameresco, check the numbers and maybe re-run the numbers again.

This will be done and Mr. Noewatne will talk to Ameresco and ECG.

VOTE The motion passed unanimously by those present.

Chairman Oris moved Agenda item R to current status on the agenda.

R. Discussion of Cheshire/Wallingford police mutual aid agreements.

Cheshire Police Chief Dryfe and Wallingford Police Chief Wright were present for this agenda item.

The Town of Cheshire borders 8 different towns. The towns of Wallingford and Cheshire are looking to partner police services. Chief Dryfe and Chief Wright share a similar philosophy, are very progressive, saw great opportunity to continue to work together beyond the dispatcher agreement.

For a department the size of the Cheshire Police Department, Chief Dryfe stated Cheshire does not participate in any joint teams, and CPD is the exception. The working relationship between the Towns of Cheshire and Wallingford was cited by Chief Dryfe in the agreements submitted for Council review. He noted that many towns in the capital region participate in interlocal agreements, have many teams working together, and there are economies of scale and cost savings associated with a mutual aid agreement.

Chairman Oris asked about the two agreements, and there not being a cross-swearing of the two departments. He asked about the 16 man SWAT team, dispatched together on every incident, including command and supervision, with the current team leader being a WPD Lieutenant.

The central region Emergency Response Team is one part of what Cheshire and Wallingford are trying to do. Chief Dryfe noted surrounding towns (i.e. Southington CT) are part of the capital regional agreements. Meriden and Waterbury are cities; they are more urban, more self contained; have more police officers; and operate in a different environment from Cheshire. Wallingford is a good partner for Cheshire; the towns have the same mind set, philosophy about customer service, are similar in demographic population; the towns have the same suburban community; the WPD has 70 officers and Cheshire has 48 officers.

Mutual Police Assistance Agreement (SWAT Team) - this combines the Wallingford and Cheshire emergency response teams. When he came to town, Chief Dryfe said CPD had 48 officers; 12 officers (1/4 of the officers) on the ERT. Wallingford and Cheshire

departments were short staffed and started training together - 8 officers from each department makes up a 16 member team. This is a huge manpower advantage; the teams have trained together for 18 months, and supervisors and officers work well together. In an emergency, the Chief of the Town is responsible for the overall situation and retains control; the ERT would be called in and on-site for the situation; there is a team leader, at this time the team leader is a Lieutenant from the WPD.

Under State law, local police departments have no authority to operate over a town line. Chief Dryfe noted some towns have cross agreements between police departments to operate and provide services. There would be no cross swearing agreement for CPD and WPD.

Mutual Police Assistance Agreement - this agreement is specifically for the SWAT team operations and formation of the team.

WPD Chief Wright informed the Council that his department has the same type vehicle as approved by the Council for CPD. The vehicle can transport 12 to 15 people; can be used for crime, traffic and accident scene work, and a call from CPD for an emergency can transport the Wallingford team to the scene to work together.

Interlocal Agreement - this agreement is for routine type situations such as drug cases, drug investigations, traffic operations.

Chief Dryfe stated there must be a specific request by either police department, and a request can be denied in good faith.

Chief Dryfe explained that the jurisdiction and authority is tied to the local police department; there is no authority outside the local jurisdiction; and statutes permit mutual aid on a larger scale. The town's CEO invokes the request. The two departments can work together on check points, DUI, traffic incident reconstruction, drug investigations and activity.

With regard to the economic scenario, Mr. Oris asked about one town deploying more staff than the other town. He also talked about the 30 day notice to cancel the agreement(s) by either party, the amount of joint equipment purchased and what happens to it.

There are protections built into the agreement and Chief Dryfe said the police departments can deny a request. He sees an emergency situation with immediate help needed as a plausible scenario. For equipment, the Chief said both departments have their own equipment, but there could be cost savings in the future for items such as SRT shields, hostage negotiation phones.

Chief Wright cited the need for radios on two frequencies, and purchase of these radios. With a 30 day termination these frequencies can come out of the radios for each department.

The issue of the agreements being vetted by the respective unions or operation guidelines for officers was raised by Ms. Flynn-Harris.

The agreement(s) have been discussed with the unions along with combining the SRTs, and Chief Dryfe reported there are no bargaining issues or change in work conditions. No concerns were raised by the unions. There will be standard operating procedures for operation of a joint team. Department employees follow their own operational guidelines, with many similarities within the two departments.

Mr. Ruocco asked about sharing costs of the SRT equipment, training and communications between the two towns, and response to a Dept. of Corrections situation.

There is an obligation to share costs, and Chief Dryfe said CPD would have little to do with a DOC incident, as it would come under the State Police. There is joint specialized training for the SRT, with officers training together and costs shared.

The issue of liability and workers comp issues was raised by Mr. Ruocco...compensation under home contract or in the jurisdiction where something happened.

Chief Dryfe advised that liability and workers comp responsibilities are at the local department by the contract. The Chief stated there will be savings with shared expenses and reduction in staff costs with the combined SRT.

If this program goes as well as expected, Mr. Ecke foresees Wallingford and Cheshire coordination on more police type activities. He commented on State funding for the two police departments declining, and the future could see a Cheshire/Wallingford Police Department. Mr. Ecke asked about Cheshire, Wallingford and Southington working together.

This is the trend and Chief Dryfe reported on a recent conference which focused on regional booking facilities, regional dispatchers, and other such regionalization. Before two departments combine into one, the Chief said there are hurdles to overcome. As for Southington P.D. they are in the capital region and part of Bristol/Plainville/Terryville regionalization. The regional dispatching unit for Cheshire would include Wallingford, North Haven, North Branford.

Chairman Oris thanked Chief Dryfe and Chief Wright and Deputy Chief Pichnarcik for their presentation to the Council.

MOTION by Mr. Slocum; seconded by Mr. Ruocco.

MOVED that the Town Council approve extending the meeting beyond the 11:00 p.m. curfew to the conclusion of business.

VOTE The motion passed unanimously by those present.

N. Authorization to execute and Electric Distribution Easement to Eversource Energy at the Cell Tower site at the Waste Water Treatment Plant Facility.

MOTION by Mr. Talbot; seconded by Ms. Flynn-Harris.

BE IT RESOLVED, that the Town Council approves Resolution #061416-17

RESOLUTION #061416-17

BE IT RESOLVED, that the Town Council approves and authorizes the execution of an Electric Distribution Easement to Eversource Energy for the distribution of power over Town property to the cell tower at the Waste Water Treatment Plant, and

BE IT FURTHER RESOLVED, that the Town Manager is authorized and directed to execute on behalf of the Town said Easement in the form and upon the terms and conditions as presented at this meeting.

Discussion

This is an easement for the tower at the treatment plant and Mr. Talbot said it is needed to get power to the tower for Eversource.

The cell tower will be activated next year and Mr. Milone said the only service now on the tower is police and fire services.

VOTE The motion passed unanimously by those present.

Chairman Oris moved agenda item 9Q to current status on the agenda.

Q. Fee for police vehicles and special assignment sites.

MOTION by Mr. Slocum; seconded by Ms. Nichols

BE IT RESOLVED, that the Town Council approves Resolution #061416-20

RESOLUTION #061416-20

BE IT RESOLVED, that the Town Council establishes a \$25 per hour fee for the use of extra duty police vehicles during daylight hours when said vehicles are requested by the special event vendor to accompany the extra duty officer at the site, for the period July 1, 2016 to December 31, 2016, at which time the Council will act to continue or terminate this charge after evaluating the benefits of said fee.

Discussion

The Council was informed by Chief Dryfe that many vendors and contractors request a marked Cheshire police vehicle at road construction or other extra duty assignments. For nighttime assignments, State highway assignments, and when officers are moving around town on a job, a vehicle accompanies the officer. The Chief noted that many surrounding towns have an ordinance and/or practice to allow a cruiser at an extra hourly fee or flat fee on an assignment.

The proposed fee for CPD would be \$25 per hour for the use of the police vehicle, and the program is voluntary for the contractor. Chief Dryfe has reviewed the estimated cost of using a police cruiser in this manner, and anticipates only a slight increase in vehicle servicing costs. Currently, there is one car on reserve for night jobs, and it added less than 2,000 miles last year. The second marked vehicle would be available as a cruiser at the job sites.

According to Chief Dryfe, the Town of Cheshire is missing a revenue opportunity. He recommends the policy of assignment of a cruiser as a "pilot program" until December 31, 2016. At that time the policy and amount of revenue generated can be evaluated. If the program is deemed successful, there can be discussion on long term implementation. This revenue item could be a line item in next year's budget.

WPD Chief Wright reported revenue of \$49,000 for Wallingford from September 2015 to the present date for police cruisers on job sites.

If the program is successful, Chief Dryfe said it could be mandatory to have a cruiser on certain roads and during certain hours.

Mr. Slocum cited his support for this program, especially for an officer on night duty or on a state road during daylight, or moving around job sites.

With regard to the proposed policy mandating a cruiser at night jobs to accompany a police officer, Chief Dryfe has a concern that a contractor may not want to pay the vehicle fee but still pay the officer. This could be open to a grievance. He asked about a town ordinance to cover this issue.

This has been discussed by Mr. Oris, Mr. Milone and Chief Dryfe, and Mr. Oris said they do not want to put an officer at risk. We have additional costs to keep an officer safe, and the contractor should pay for them.

With a mandate, Mr. Milone questions whether there should be a law in place or an ordinance.

Town Attorney Smith informed the Council that under the Town Charter they have the authority to set fees and charges and this is within their authority. The Council needs to

take legal action to establish charging this type of fee...and the resolution could be the legal action.

Stating he has a concern about a mandate, Mr. Milone is comfortable with charging the fee. He asked if the resolution is adequate or if an ordinance is needed.

Following a brief Council discussion, Chairman Oris said the matter could be referred to the Ordinance Review Committee. He is in favor of requiring a contractor to pay the vehicle fee, and a resolution may be needed in this regard.

When a crew is working in the road and there is a cruiser with lights on, Chief Dryfe said everything is more visible, safer, and there is a police presence on the site.

With the proposed fee structure, Ms. Flynn-Harris asked about notification to the contractors about this additional police cruiser fee.

Chief Dryfe has the list of contractors who work in Cheshire, and he will send a formal letter to vendors informing them about the \$25 hour fee for a cruiser...without a minimum number of hours required.

VOTE The motion passed unanimously by those present.

O. Authorization for the purchase of electricity.

MOTION by Mr. Talbot; seconded by Mr. Slocum.

BE IT RESOLVED, that the Town Council approves Resolution #061416-18

RESOLUTION #061416-18

WHEREAS, the Town of Cheshire (the "Town") and TransCanada Power Marketing Ltd. ("TransCanada") entered into a certain Power Purchase Agreement (the "Agreement"), pursuant to which TransCanada agreed to sell and the Town agreed to purchase electricity supplies for the Town facilities for the period ending with the billing cycle that concludes in November 2018, and

WHEREAS, the Town wishes to participate in a multiple supplier procurement bidding program coordinated by Bay State Consultants LLC, and execute a procurement agreement with the low bidding supplier beyond November 2018;

NOW, THEREFORE, BE IT RESOLVED, that the Town Manager and other proper officers are hereby authorized, directed and empowered to execute an agreement for a period of up to three (3) years beyond November 2018 to contract with the low bidder if the Town Manager believes that low-bid pricing is in the best interests of the Town.

Discussion

Mr. Talbot commented on the Town having the ability as early as Wednesday, June 15th, for energy pricing and extension of the agreement beyond November 2018. The costs are in favor of the Town right now to take advantage of savings.

Mr. Jaskot explained that the Town's contract with TransCanada Power Marketing expires in November 2018. The consultant, Bay State Consultants, LLC, recommends the Town look into extending this contract for three (3) years to 2021 due to good and low pricing on the commodity piece. It is a good time to get into the out years. The number of years will be negotiated; an RFP will be done; there will be a report from the consultant on pricing; and a decision must be made on June 15th. An RFP would go out in a few months. Town Engineer Gancarz is working with Bay State so the Town goes in the right direction.

VOTE The motion passed unanimously by those present.

P. Funding authorization for the continuation of the Elderly Nutrition and Meals on Wheels Programs.

MOTION by Mr. Ruocco; seconded by Mr. Talbot.

BE IT RESOLVED, that the Town Council approves Resolution #061416-19

RESOLUTION #061416-19

BE IT RESOLVED, that the Town Council authorizes the funding of approximately \$1,775 for the continuation of Wednesday lunches through the Elderly Nutrition and Meals on Wheels programs from July 1, 2016 through September 30, 2016, to be absorbed by the Senior Center general operating budget.

Discussion

Mr. Ruocco stated the program is funded by New Opportunities, and the Town funding would provide meals for senior citizens on Wednesdays through June 30th.

VOTE The motion passed unanimously by those present.

10. TOWN MANAGER'S REPORT AND COMMUNICATIONS

A. Monthly Status Report - in Council packets

**B. Department Status Reports: Police, Fire, Fire Marshal.
 In Council packets**

C. Other Reports

Town Manager Milone will e-mail his report to the Council.

In response to an inquiry by Councilor Ruocco regarding notification time for public hearings and referenda votes, Mr. Milone cited the following:
Public Hearing - notice must be made at least 5 days prior to the public hearing date.
Referenda votes - not held as part of a regular election must be noticed in a local publication between 5 and 15 days before the referenda.

11. REPORTS OF COMMITTEES OF THE COUNCIL.

A. Chairman's Report

Chairman Oris referred the following matters to committee:

- Referral of request to name the new Senior Center room in memory of Doreen Pulisciano to the Planning Committee.
- Referral of a successor Technology Consultant contract to the Technology Study Group.
- Referral of the request to allow alcohol at events at Town facilities to the Ordinance Review Committee.
- Referral of a successor ambulance services contract to the Budget Committee.

B. Miscellaneous

12. MISCELLANEOUS AND APPOINTMENTS

A. Liaison Reports

Arts Place - Ms. Flynn-Harris reported that the new programs start on June 25th.

B. Appointments to Boards and Commissions

13. TOWN ATTORNEY REPORT AND COMMUNICATIONS

14. COUNCIL COMMUNICATIONS

A. Letters to Council.

B. Miscellaneous

15. ADJOURNMENT

MOTION by Mr. Slocum; seconded by Mr. Talbot.

MOVED to adjourn the meeting at 11:25 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk